



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

AS
F. #2017R01809

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 21, 2018

By ECF

The Honorable Raymond J. Dearie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Maksim Zaslavskiy
Criminal Docket No. 17-647 (RJD)

Dear Judge Dearie:

The government respectfully submits this letter to explain its opposition to the defendant Maksim Zaslavskiy's requested travel to Ukraine to perform a medical procedure that he concedes could be performed in the United States. He claims that the procedure would be cheaper in Ukraine, without providing any documentation to support the cost difference, accounting for roundtrip airfare expense he would incur.

The defendant is from Ukraine, and it is where his co-conspirators likely reside as well. As he explained in his testimony before the U.S. Securities and Exchange Commission ("SEC"), "I have a team of people that's working for me in Ukraine mostly right now." Ukraine is also a country without an extradition treaty with the United States. See 18 U.S.C. § 3181. If the defendant decides that he longer wishes to face a criminal (or civil) trial, he could decide not to return, and there would be nothing the government could do. And he would not be the first fugitive to stay in Ukraine; the lead defendant in United States v. Zelinger, 16 CR 553 (BMC) (E.D.N.Y.), for example, has continued to remain in Ukraine as that case proceeds to trial next month.

The government has—at times reluctantly—consented to the defendant’s travel requests. But it cannot consent to his travel to extradition-proof territory.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/ Andrey Spektor
Andrey Spektor
Assistant U.S. Attorney
718.254.6475

Cc: Clerk of the Court (RJD) (By ECF)
Mildred Whalen, Esq. (By E-mail)
Len Kamdang, Esq. (By E-mail)